

On May 6, 1940, the United States attorney for the Northern District of Indiana filed a libel against 38 bottles of Natural Mineral Extracts at Whiting, Ind., alleging that the article had been shipped in interstate commerce on or about February 13, 1940, by Colonial Drug Co. from Tulsa, Okla.; and charging that it was misbranded.

Analysis showed that the article consisted essentially of ferric sulfate and water with small proportions of aluminum, calcium, and magnesium compounds.

The article was alleged to be misbranded in that representations in the labeling that it was efficacious to maintain the mineral balance, keep the system in perfect health, give new life to weakened and general run-down conditions of the system and resistance against attacks of germs and infection, that it was efficacious as a tonic for run-down, anemic conditions; that it was efficacious in the treatment of indigestion, stomach, liver, and intestinal disorders, ulceration of the stomach, kidney and bladder disorders, female trouble, high blood pressure, rheumatism, and many other run-down conditions of the blood; that it was efficacious in the external treatment of eczema and other skin conditions, was efficacious in the treatment of sore throat, tonsillitis, bleeding gums, enlarged prostate glands of old and middle-aged men; internal hemorrhoids, bleeding piles, old sores, pimples, carbuncles, toothache, itch: that it would stop the flow of blood instantly; and that it was efficacious when administered internally as a blood purifier, that it would bring comfort and health and was efficacious for general debility and many other chronic ailments, were false and misleading since it would not be efficacious for the purposes recommended.

On June 22, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**386. Misbranding of Natural Ray Mineral Water. U. S. v. 280 Cases and 13 Bottles of Natural Ray Mineral Water. Default decree of condemnation. Water dumped and bottles sold. (F. D. C. No. 1099. Sample Nos. 75476-D, 75477-D.)**

The labeling of this product bore false and misleading representations regarding its efficacy for the conditions indicated below.

On November 29, 1939, the United States attorney for the Eastern District of Ohio filed a libel (and on December 20, 1939, an amended libel) against 280 cases each containing 6 half-gallon bottles and 135 gallon bottles of the above-named product at Cleveland, Ohio, alleging that the article had been shipped in interstate commerce on or about August 11, 1939, by the Natural Ray Mineral Water Co. from St. Louis, Mich.; and charging that it was misbranded.

Examination showed that the article was a moderately mineralized water, slightly alkaline, the mineral constituents consisting for the most part of calcium bicarbonate, calcium sulfate, and magnesium sulfate with small proportions of other inorganic constituents.

The article was alleged to be misbranded in that the following statements appearing in the labeling were false and misleading, since it was not efficacious for the purposes recommended: (Label attached to the ½-gallon and 5-gallon bottles) "Natural Ray Mineral Water From the Spring of Michigan Magnetic Mineral Water Co."; (label attached to 5-gallon bottles only) "\* \* \* it has proven remarkably successful in the treatment of rheumatism, uric acid and kidney disorders"; and (bags enclosed in the case with ½-gallon bottles) "Natural Ray Mineral Water Will Help you Maintain as Well as Regain Your Health \* \* \* Successfully used for seventy years in the treatment of constipation-uric acid-stomach-kidney troubles-and rheumatic conditions. \* \* \* When used primarily as a Health Water, serve at room temperature."

On September 23, 1940, no claimant having appeared, judgment of condemnation was entered and it was ordered that the water be dumped and the bottles sold.

**387. Misbranding of Naturzelp. U. S. v. 34 Bottles of Naturzelp. Consent decree of condemnation and destruction. (F. D. C. No. 1862. Sample No. 3207-E.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On April 25, 1940, the United States attorney for the Western District of New York filed a libel against 34 bottles of Naturzelp at Arcade, N. Y., alleging that the article had been shipped in interstate commerce on or about January 1, 1940, by the Neutro Distributing Association from Columbiana, Ohio; and charging that it was misbranded.

Analysis showed that the article consisted essentially of Epsom salt, sodium salicylate, and extracts of plant drugs including licorice and a laxative plant drug.

The article was alleged to be misbranded in that its labeling contained representations that it was efficacious as a general purifier; that it would act directly upon the liver and purge it of its excess toxins; would help the flow of bile; would be efficacious in the relief of rheumatism, arthritis, neuritis, lumbago; that it would act as a tonic for the stomach, liver, kidneys, and bowels; would make the digestive organs clean; improve the system in general; overcome constipation, remove poisons, restore normal alkaline dominance, render the system less susceptible to disease, relieve liver congestion; would get rid of the symptoms of diabetes, i. e., loss of weight, thirst, hunger, frequency of urination, and would drive the sugar from the urine; and that it would have a diuretic action upon sluggish kidneys, which representations were false and misleading since it was not efficacious for the purposes recommended.

On November 25, 1940, the claimant, the Neutro Distributing Association, having withdrawn its claim and having consented to the entry of a decree, judgment of condemnation was entered and the product was ordered destroyed.

**388. Misbranding of Parkelp and Parkelp Tablets. U. S. v. 10 Cartons of Parkelp and 58 Cartons of Parkelp Tablets. Default decree of condemnation and destruction. (F. D. C. No. 3265. Sample Nos. 44487-E, 44488-E.)**

The labeling of this product bore false and misleading representations regarding its efficacy in the conditions indicated hereinafter.

On October 29, 1940, the United States attorney for the District of Colorado filed a libel against 10 cartons each containing 7 ounces of Parkelp, 17 cartons each containing 200 Parkelp Tablets; 31 cartons each containing 500 Parkelp Tablets, and 10 cartons each containing 800 Parkelp Tablets at Denver, Colo., which had been consigned by Philip R. Park, Inc., alleging that the article had been shipped in interstate commerce on or about August 2, 1940, from San Pedro, Calif.; and charging that it was misbranded.

Analysis showed that the Parkelp consisted of dried kelp (seaweed); and that the tablets consisted of the same material compressed into tablet form.

The article was alleged to be misbranded in that representations in the labeling that it would be efficacious to improve the appetite, nutrition, bowel function, and skin condition; that it would be efficacious in the treatment of the hair and scalp; that it would be efficacious in secondary anemia, rickets, and other types of bone deficiency, and that it would supply adequate amounts of minerals to the diet, thus relieving colds, anemia, obesity, asthma, acidosis, mental exhaustion, rheumatism, stomach, kidney and bladder trouble, heart disorders, constipation, general debility, headaches, weakness, eczema, underweight, fatigue, glandular disturbances, goiter, thin blood, and poor circulation; and that it would be efficacious to decrease nervous irritability, increase alertness and cause marked improvement in the mental condition of dull listless children and would regulate weight and growth, were false and misleading since it would not be efficacious for such purposes.

On December 23, 1940, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**389. Misbranding of Pronto. U. S. v. 157 Packages of Pronto. Default decree of condemnation and destruction. (F. D. C. No. 3246. Sample No. 30159-E.)**

The label of this product bore false and misleading representations regarding its efficacy in the conditions indicated below.

On November 4, 1940, the United States attorney for the Northern District of Illinois filed a libel against 157 packages of Pronto at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about May 8, 1940, by Alfred S. Hope from Los Angeles, Calif.; and charging that it was misbranded.

Analysis showed that the article consisted of powders, each containing bismuth subcarbonate (9.15 grains), magnesium oxide 4.22 grains), aspirin (free and combined, 3.6 grains), a silicate such as kaolin, and sugar.

The article was alleged to be misbranded in that representations in the labeling that it was efficacious in the treatment of stomach and bowel ailments, colitis, and ulcers including acute, long-standing and severe cases, duodenal ulcers, acute pains, vomiting "showing of blood" accompanying ulcers and colitis; that it would spread a thin protective film over the lining of the entire digestive canal and would heal or soothe; that it would quiet down the colon and other fretful organs, control nervousness and contractions, and restore exhausted tissues, or normal functions, were false and misleading since it was not efficacious for such purposes.